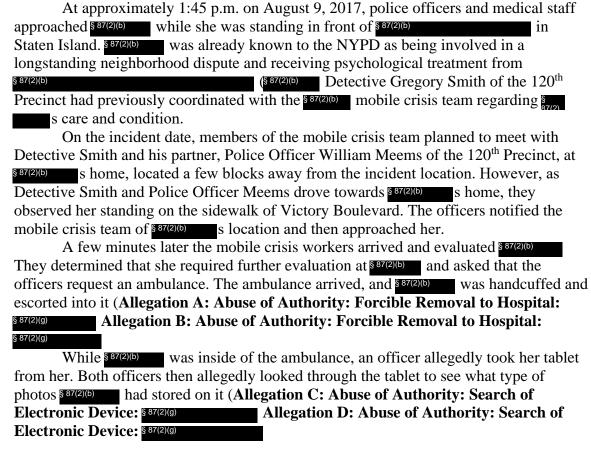
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	ase #:		☐ U.S.
Matthew Chaves		Squad #10	201806613	✓ Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:	•	Precinct:	18 Mo. SOL	EO SOL
Wednesday, 08/09/2017 1:45 PM	Л	§ 87(2)(b)		120	2/9/2019	2/9/2019
Date/Time CV Reported		CV Reported At:	How CV Reported	Date/Time	Received at CCI	RB
Fri, 08/10/2018 6:38 PM		CCRB	In-person	Fri, 08/10/	2018 6:38 PM	
Complainant/Victim Type		Home Address				
Subject Officer(s)	Shield	TaxID	Command			
1. POM William Meems	02992	944802	120 PCT			
2. DTS Gregory Smith	970	939487	120 PCT			
Officer(s)	Allegati	on		Inve	estigator Recon	nmendation
A.DTS Gregory Smith	Abuse: Detective Gregory Smith forcibly removed § 87(2)(b) to the hospital.					
B.POM William Meems	Abuse: 1 § 87(2)(b)	Police Officer William Months to the hospital.	leems forcibly remo	ved		
C.DTS Gregory Smith		Abuse: Detective Gregory Smith searched §87(2)(b) s recording device.				
D.POM William Meems		Police Officer William Mecording device.	leems searched § 87(2))(b)		

Case Summary

On August 10, 2018, [87(2)(5)] appeared in person at the CCRB and filed the following complaint.



The investigation obtained no video footage of this incident.

was interviewed on January 3, 2019 (Board Review 03).

Findings and Recommendations

Allegation A – Abuse of Authority: Detective Gregory Smith forcibly removed

87(2)(b) to the hospital.

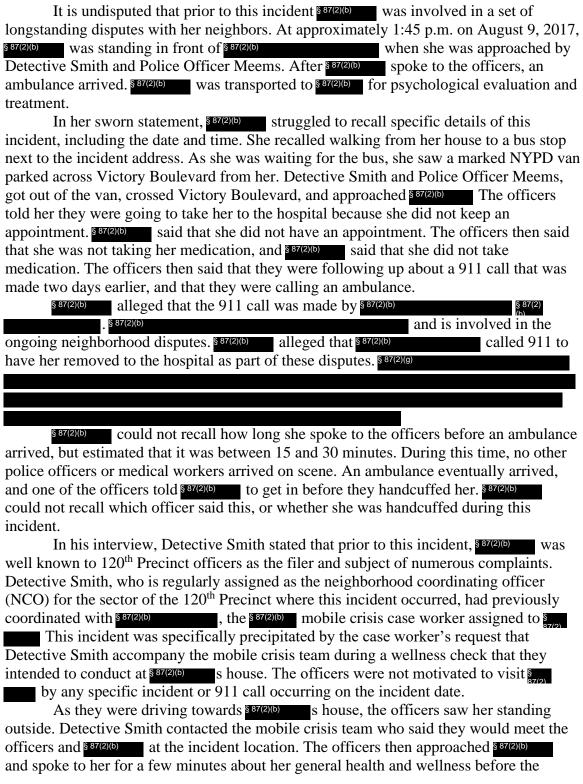
Allegation B – Abuse of Authority: Police Officer William Meems forcibly removed

87(2)(b) to the hospital.

887(2)(b) was interviewed on August 13, 2018 (Board Review 01). Detective

Smith was interviewed on January 3, 2019 (Board Review 02). Police Officer Meems

Page 2



Page 3

mobile crisis team reached the scene. The mobile crisis team evaluated \$87(2)(6) and determined that she needed to be taken to \$87(2)(6) for further treatment. \$87(2)(6) stated that she did not want to go to the hospital, and the officers handcuffed her for transport in the ambulance. While \$87(2)(6) expressed not wanting to go to the hospital, she did not physically resist being handcuffed or led into the ambulance.

In his interview, Police Officer Meems provided a statement that was generally consistent with Detective Smith's.

In his memo book entries from this date (**Board Review 04**), PO Meems wrote that the mobile crisis team determined that [\$87(2)(6)] had missed an appointment and was not taking her medication.

s \$ 37(2)(b) medical records (**Board Review 05**) contain written statements from a member of the mobile crisis team. According to these statements, had previously been diagnosed with a "persecutory delusional disorder." \$ 37(2)(b) had been discharged from the 5 37(2)(c) inpatient unit on July 21, 2017, and since that time had been "noncompliant with meds or follow up after care appointments." The mobile crisis team had then been contacted by 5 37(2)(b) so neighbors because she had become "increasingly intrusive and continue[d] to harass them." \$ 37(2)(b) was found by the mobile crisis team on Victory Boulevard, and she stated that she had not had the chance to take her medications or to follow up with her appointment.

was brought to \$87(2)(6) for evaluation. She was assessed as "paranoid and delusional, noncompliant with medications and outpatient treatment, and acutely decompensated." She remained a "danger to self and others a require[d] further [inpatient] stabilization."

According to NYPD Patrol Guide Procedure 216-01, when a civilian requires medical aid for any reason, including mental illness, officers must cooperate with ambulance and hospital personnel in every reasonable manner (**Board Review 06**).

§ 87(2)(g)		

Page 4

Allegation C – Abuse of Authority: Detective Gregory Smith searched [887(2)(b)] recording device. Allegation D – Abuse of Authority: Police Officer William Meems searched §87(2)(b) s recording device. In her sworn statement, §87(2)(b) stated that she got into the ambulance under her own power. Once inside of the ambulance, an officer took her tablet from her. She did not give the officer permission to take the tablet or look at it. An officer said that was "always taking pictures" and asked if she was taking pictures of them. The officers then looked through her tablet's contents and made comments about how she had a lot of pictures of houses. The EMT also looked at the tablet. §87(2)(6) told the officers and EMT that they had no business looking through her tablet. In his interview, Detective Smith stated that the officers never removed any property from \$87(2)(6) s possession. When asked by the investigation whether the issue of \$87(2)(b) allegedly surveilling or recording her neighbors came up during this incident, Detective Smith stated that he could not recall. However, he recalled that in general, over previous incidents, §87(2)(b) s neighbors had complained to the police that she was recording them and §87(2)(b) had complained that her neighbors were recording her. Detective Smith described visiting \$87(2)(b) s house on previous incidents and seeing old smartphones and tablets positioned in her windows facing outwards to appear to be recording. Detective Smith denied taking a tablet from §87(2)(b) during this incident and viewing photos on it. In his interview, Police Officer Meems stated that §87(2)(b) was carrying a bag during this incident, and that she took this bag and its contents with her to the hospital. Her property was not confiscated or vouchered as she was not under arrest. Officers did not ever take a tablet or other electronic device from her possession. Officers did not accuse \$87(2)(b) of surveilling or recording her neighbors, or go through any files on her tablet. s medical records state "As per EMT, [patient] has pictures of neighbor's houses in her iPad. She goes to their house and takes pictures of their houses through open windows." (**Board Review 05**)

Page 5

Civilian and Officer CCRB Histories

• \$87(2)(b) has been party to 10 prior CCRB complaints and has been named as a victim in twenty prior allegations (**Board Review 07**).



- Detective Smith has been a member of service for thirteen years and this is the first CCRB complaint to which he has been a subject.
- Police Officer Meems has been a member of service for 11 years and this is the first CCRB complaint to which he has been a subject.

Mediation, Civil and Criminal Histories

- This complaint was unsuitable for mediation.
- A request for any Notice of Claim regarding this incident has been submitted to the New York City Comptroller's Officer, and the results will be added to the case file upon receipt.

Page 6

● [§ 87(2)(b)] [§§ 86	(1)(3)&(4)] [§ 87(2)(c)]		
Squad No.: 10			
Investigator:	Signature	Print Title & Name	Date
Squad Leader:	Signature	Print Title & Name	Date
Reviewer:	Signature	Print Title & Name	Date